REMARKS

Upon entry of the above amendments, this application will contain claims 2-6, 8-10, 19, and 21 pending and under consideration. In this submission, claims 1, 7, 11-18, and 20 have been canceled. New claim 21 has been added, and claims 2, 3, 4, and 8 have been amended to depend from new claim 21. Claim 4 has also been amended to provide correct antecedent basis for the term "flavouring".

In the latest Office Action dated January 13, 2004, claims 1-20 were rejected under §103(a) over Soughan (US 6,004,593) in view of Lehrer (US 5,885,633), and further in view of Porzio et al. (US 5,603,971), and Marmo (US 4,311,720), further in view of Holobradi et al. (HU 9343), Newhall (US 5,094,860), Holzner et al. (US 4,880,649), Soughan (US 5,932,260), Loizzi (US 5,043,172), Tucker et al. (US 5,656,315), and Perzola et al. (US 5,518,742). For the reason discussed more fully below, it is believed that the presently claimed invention is patentably distinct from the references. Therefore, withdrawal of all rejections and allowance of this application are requested.

New claim 21 has been added. Support for claim 21 can be found in the application on page 4, lines 11-14, page, 5, line 23-page 6, line 10, as well as other locations in the application.

The Applicants respectfully traverse the rejections of the claims. The examiner' s characterization of Soughan '593 is accurate as far as it goes; Soughan '593 does not disclose or suggest use any printing method to introduce the flavoring to a filter. Soughan '593 discloses a coffee filter in which the flavoring is directly or indirectly supported by a layer of woven or unwoven fabric, scrim paper, or other support web. (Soughan '593, col. 3 lines 2-20). Consequently, in addition to failing to disclose any printing process, Soughan also fails to disclose an emulsion of a flavouring and an encapsulant material and a method for applying the emulsion to a carrier or filter. The deficiencies of Soughan are not rectified by the other references.

While Lehrer does disclose printing process to deposit the material onto a filter; Lehrer requires two layers with the deposited material between the layers and a glue to bind to two layers together. Lehrer further teaches that the material can be printed in encapsulated form--iIndicating that the material has already been encapsulated and that is may not have been applied as an emulsion of a flavouring and an encapsulant material. (Lehrer, col. 2, line 50-col. 3, line 3.) Consequently, it is believed that Lehrer does not suggest the use of a metered printing

process to apply an emulsion containing a flavouring and an encapsulant material to a carrier as claimed.

Porzio '971 discloses the use of sodium octenyl succinate modified starch. However, this reference teaches that this ingredient is mixed with a liquid plasticizer (possible water) in an extruder. (Porzio, 971, col. 14, lines 65 and in Examples 3-11.) It is believed that Porzio '971 does not suggest the preparation of an emulsion nor a process of applying the emulsion to a carrier using a metered printing process as presently claimed.

Marmo teaches that various flavoring agents can be encapsulated, but Marmo also teaches that resulting composites are "spray-dried" before application to any carrier. (Marmo, col. 11, lines 40-42.) It is believed that Marmo does not teach use of a metered printing process to apply an emulsion to a carrier as presently claimed.

Holobradi simple states that an aqueous suspension was applied to tea bags and does not describe how the suspension was applied.

Newhall teaches that a composition containing the flavoring agent is directly applied to leaves and not to the carrier. Newhall specifically states that the micro-encapsulated flavor is sprayed directly onto the tea leaves or simply combined with tea leaves in a tea bag, but not adhered to the carrier as presently claimed. (Newhall, 3, lines 24-35, and Examples 1-5.)

Holzner teaches that an aromatic emulsion is sprayed on tea either onto the leaves, stems, and cuttings or is suitable for perfuming paper as a filter. (Holzner, col. 3, 53-64, and Examples 1-3.) It is believed that Holzner does not describe applying an emulsion to a porous carrier using a metered printing process to apply the emulsion adhere the encapsulant material to the carrier as presently claimed.

Soughan '260 (similar Soughan '593) teaches that the flavoring is disposed between two layer such that the flavoring is supported by a layer or support web rather than be adhered to the carrier as presently claimed. (Soughan '260, col. 4, lines 25-41, and Fig. 5.) Further, Soughan '260 is silent regarding application of an emulsion of a flavouring and an encapsulant material to a porous carrier using a metered printing process whereby the encapsulant material adheres to the carrier as presently claimed.

Loizzi, Tucker, and Pergola are all equally silent as to applying an emulsion using a metered printing process to adhere the encapsulant material to a carrier

It is believed that for the reasons discussed above the claimed invention is patentably distinct over the cited references considered either singly or in combination. Consequently, withdrawal of all rejections and allowance of claims 2-6, 8-10, 19, and 21 are respectfully requested.

Additionally, the Examiner is invited to telephone the undersigned attorney if there are any questions about this submission or other matters, which may be addressed in that fashion.

Respectfully submitted,

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